

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PETER BORDES, JR.,

Plaintiff,

-v-

MARC DEVEAUX,

Defendant.
-----X

23 Civ. 7430 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

Plaintiff filed his Complaint on August 22, 2023, invoking the Court's subject matter jurisdiction on the ground of diversity of citizenship under 28 U.S.C. § 1332. Dkt. 1. The Complaint alleges that Plaintiff resides in New York and Defendant resides in New Jersey. *Id.* at ¶¶ 1-2. "[R]esidence alone is insufficient to establish domicile for jurisdictional purposes," *Van Buskirk v. United Grp. Cos.*, 935 F.3d 49, 54 (2d Cir. 2019), and, therefore, "a statement of the parties' residence is insufficient to establish their citizenship," *Leveraged Leasing Admin. Corp. v. PacifiCorp Cap., Inc.*, 87 F.3d 44, 47 (2d Cir. 1996).

Accordingly, it is hereby ORDERED that by August 31, 2023, Plaintiff shall amend his Complaint to allege the citizenship of the Plaintiff and Defendant. If Plaintiff fails to amend the Complaint by that date, or otherwise properly establish this Court's jurisdiction pursuant to 28 U.S.C. § 1332, the Court will dismiss this action for lack of subject matter jurisdiction without further notice.

SO ORDERED.

Dated: August 24, 2023
New York, New York



JOHN P. CRONAN
United States District Judge